

**TOWN OF LOS GATOS
CALIFORNIA
TOWN COUNCIL/PARKING AUTHORITY
JOINT REDEVELOPMENT AGENCY
January 5, 2004/Minutes**

Los Gatos Civic Center
110 E Main St.
Los Gatos, CA 95030

Time	ITEM	ACTION ON ITEM
7:00 PM	TOWN COUNCIL	The Town Council/Parking Authority/Redevelopment Agency of the Town of Los Gatos met in the Council Chambers of the Town Hall, 110 East Main Street, at 7:00 p.m., Monday, January 5, 2004, in joint regular session .
7:01 PM	ROLL CALL	Present: Sandy Decker, Diane McNutt Joe Pirzynski, Mike Wasserman and Mayor/Chairman Glickman. Absent: None.
7:02 PM	PLEDGE OF ALLEGIANCE	The audience was invited to participate in the Pledge of Allegiance.
7:03 PM	CLOSED SESSION	Town Attorney, Orry Korb, reported that Council had not met in Closed Session this evening. (XX.28)
7:04 PM	CONSENT ITEMS	CONSENT ITEMS
	ITEM 1 SCHEDULE OF PUBLIC HEARINGS	Motion by Ms McNutt , seconded by Mr. Pirzynski, that Council accept and file informational report regarding currently scheduled public hearings. (01.28)
	ITEM 2 PAYROLL RATIFICATION FOR NOVEMBER AND DECEMBER 2003	Motion by Ms McNutt , seconded by Mr. Pirzynski, that Council ratify the check register for payroll of November 23, 2003 through December 6, 2003 paid on December 12, 2003 in the amount of \$587,943.48. Carried unanimously. (02.V)
	ITEM 3 ACCOUNTS PAYABLE RATIFICATION FOR NOVEMBER	Motion by Ms McNutt , seconded by Mr. Pirzynski, that Council ratify the accompanying check registers for accounts payable invoices paid on December 5, 2003, December 12, 2003 and December 19, 2003 in the amount of \$1,505,753.79. Carried unanimously. (03.V)

Time	ITEM	ACTION ON ITEM
	ITEM 4 COUNCIL MINUTES DECEMBER 15, 2003	Motion by Ms McNutt , seconded by Mr. Pirzynski, that Council approve the Minutes of December 15, 2003 (Study Session.) Carried unanimously. (04.V)
	ITEM 5 MANAGEMENT COMPENSATION PLAN FOR 2003-2004	Staff noted that this Item had been deferred to a later date. (05.2)
	ITEM 6A RESIDENCY REQUIREMENTS RESOLUTION 2004-02	Motion by Ms McNutt , seconded by Mr. Pirzynski, that Council adopt Resolution 2004-02 entitled, <u>RESOLUTION OF THE TOWN OF LOS GATOS RESCINDING RESOLUTION 2002-134, AND ESTABLISHING RESIDENCY REQUIREMENTS FOR MEMBERS OF SPECIFIC BOARDS AND COMMISSIONS.</u> Carried unanimously. (06A.12)
	ITEM 6B PARKS COMMISSION ESTABLISHED RESOLUTION 2004-03	Motion by Ms McNutt , seconded by Mr. Pirzynski, that Council adopt Resolution 2004-03 entitled, <u>RESOLUTION OF THE TOWN OF LOS GATOS RESCINDING RESOLUTION 2002-103, AND ESTABLISHING THE PARKS COMMISSION</u> Carried unanimously. (06B.12)
	ITEM 7 RESERVOIR ROAD	This Item was pulled. It will be discussed after the Public Hearings.
	ITEM 8 PROJECT 0233B ELECTRICAL WORK SANTA CRUZ AVE. RESOLUTION 2004-05 RESOLUTION 2004-01RD	Motion by Ms McNutt , seconded by Mr. Pirzynski, that Council adopt Resolutions 2004-05 & 2004-01RD entitled, <u>RESOLUTION OF THE TOWN COUNCIL AND REDEVELOPMENT AGENCY OF THE TOWN OF LOS GATOS ACCEPTING WORK OF CUPERTINO ELECTRIC AND AUTHORIZING THE TOWN MANAGER/EXECUTIVE DIRECTOR TO EXECUTE CERTIFICATE OF ACCEPTANCE AND NOTICE OF COMPLETION FOR RECORDING BY THE TOWN CLERK/SECRETARY OF THE REDEVELOPMENT AGENCY.</u> Carried unanimously. (08.27)
	ITEM 9 AGENCY ACCOUNTS PAYABLE RATIFICATION FOR NOVEMBER	Motion by Ms McNutt , seconded by Mr. Pirzynski, that the Agency ratify the accompanying check registers for accounts payable invoices paid on December 5, 2003, December 12, 2003 and December 19, 2003 in the amount of \$290,340.81. Carried unanimously. (09.V)
	ITEM 10 AGENCY MINUTES DECEMBER 15, 2003	Motion by Ms McNutt , seconded by Mr. Pirzynski, that the Agency approve the Minutes of Decmber 15, 2003 Study Session on the Capital Improvement Program as submitted. Carried unanimously.

Time	ITEM	ACTION ON ITEM
7:06 PM	VERBAL COMMUNICATIONS	Skateboard Park: Donavan Dresti spoke in support of skateboarding. He asked Council to reaffirm its support of establishing a skateboard park in Town. Mayor Glickman asked that this subject be placed on the January 20, 2004 agenda.
7:10 PM	VERBAL COMMUNICATIONS	Skateboard Park: Ray Davis asked that Council consider placing a skateboard park on the old bus depot behind the post office. He also mentioned being arrested for disturbing the peace in the Civic Center and said he would no longer salute the flag during the Council meetings until the present Council has been changed. He then spoke on the safe routes to school issue and noted the Shannon Road -- Los Gatos Boulevard crossing area. He believes staff is taking too long to rectify the safety issues identified at this location. Police Chief Seaman then addressed the ongoing monitoring and actions being considered.
7:15 PM	OTHER BUSINESS	OTHER BUSINESS
	ITEM 16 ANIMAL CONTROL SERVICES (SVACA)	ANIMAL CONTROL SERVICES (16.36) Alana Forest , Police Captain, gave a report concerning the contract negotiations between the Town and the City of San Jose, and the proposals from SVACA. The conclusion of this work is that San Jose's offer is more competitive and cost effective.
		Joe Pirzynski , Councilmember, spoke of the relatively small amount of difference in cost between SVACA and San Jose in relation to the benefit of the Town owning equity in the final project and operations of the SVACA proposal.
		Ms Forest spoke of cost containment and the 1.5 CPA that is built into the San Jose contract. She noted that SVACA on the other hand does not have its facility built yet and the probability of cost increase is far greater.
	ITEM 16 SPEAKERS	The following people from the audience addressed this issue:
	Speaker	Mark Zamudia spoke of location for the animal shelter and the difficulty of accessing the San Jose shelter easily. He would prefer the Santa Clara SVACA location. Staff noted that there is a similar distance and time of operation between the two shelters.
	Speaker	Jane Kennedy spoke in support of SVACA and continuing to work on reducing the costs for its operating expences.
	Speaker	Barbara Nesbit spoke in support of SVACA and the close connection the West Valley Cities have had with each other as they've worked on this JPA. No one else from the audience addressed this issue.

Time	ITEM	ACTION ON ITEM
	ITEM 16 ANIMAL CONTROL SERVICES MOTION	Motion by Mrs. Decker , seconded by Ms Mc Nutt, that Council adopt Resolution 2004-08 entitled, <u>RESOLUTION OF THE TOWN OF LOS GATOS AUTHORIZING THE TOWN MANAGER TO FINALIZE AND ENTER INTO AN AGREEMENT WITH THE CITY OF SNA JOSE FOR ANIMAL CONTROL SERVICES</u> and Town Manager to draft letter to SVACA indicating that the Town of Los Gatos' intention to withdraw from the JPA by January 25, 2004, effective by June 30, 2004.
	COUNCIL COMMENTS	Mr. Pirzynski spoke of maintaining local control on these services and of continued negotiations as the Town moves forward on establishing its animal control services
	COUNCIL COMMENTS	Mr. Wasserman, Ms McNutt and Mr. Glickman spoke of the cities dropping out of the JPA thereby increasing costs to the remaining participants; asked for as many cost reductions as possible; Council believes that as a customer the Town can ask for the best services and negotiate savings with the City of San Jose.
	ITEM 16 MOTION CONCLUDED	Carried by a vote of 4 ayes. Mr. Pirzynski voted no as reflected in Council Comments.
	PUBLIC HEARING	PUBLIC HEARING
7:50 PM	ITEM 11 MONROE COURT	10 MONROE COURT/PLANNED DEVELOPMENT (11.15) Mayor Glickman stated that this was the time and place duly noted for public hearing to consider recommendation of the Planning Commission for approval of a Planned Development to change the zone from RM:120 to RM:12-20:PD to construct thress dwelling units. No significant environmental impacts have been identified as a result of this project and a Negative Declaration is recommended. APN 529-09-026. Planned Development Application PD-01-2. Negative Declaration ND01-14. Property Location: 10 Monroe Court. Property Owner: David H. Pitzen. Applicant DHP Monroe Investors LLC.
		Bud Lortz , Community Development Director, gave an overview of the history of this project. He noted that at this time the open space is solely for the use of the owners in the planned development. He spoke of the ADA requirements that would be necessary if the open space was available to the general public.
		Council Concerns: That all trees be protected and that the more vulnerable ones be fenced during construction phase. That the Italian Stone Pine be added to the protected trees listed on page 17. That care will be given to the access of Ann Lamborn to her home during construction work.

Time	ITEM	ACTION ON ITEM
8:17 PM	ITEM 11 SPEAKERS MONROE COURT	The following people from the audience addressed this issue:
	SPEAKER	Stan Queen , Pacific Diversified, operations manager for the project, spoke of the possibility of making the open space available to the neighbors. He also noted that the heritage trees would be protected during construction and that they would be mindful of Ms Lamborn's access route to her home.
	SPEAKER	Jessie Prout thanked Council and staff for all their work and concerns. She would prefer the open space be limited to the neighbors and not be made available to the general public. She asked that the heritage tree be protected and that open fencing be used so as not to block the views. She asked that the plans for the homes not be changed because they now meet with the neighbors approval.
8:20 PM	ITEM 11	Mayor Glickman closed the public hearing.
	MONROE COURT	Council Consensus that council accept the report in the form of meeting minutes from the Planning Commission regarding the Planned Development at 10 Monroe Court
		Motion by Mrs. Decker , seconded by Mr. Pirzynski, that Council make the Negative Declaration as in Exhibit H of Attachment 8 of the staff report. Carried unanimously.
		Motion by Mrs. Decker , seconded by Mr. Pirzynski, that Council adopt the Mitigation Monitoring Plan shown in Attachment 4 of the staff report. Carried unanimously.
		Motion by Mrs. Decker , seconded by Mr. Pirzynski, that Council approve the Planned Development Application PD-01-2 Carried unanimously.
		Motion by Mrs. Decker , seconded by Mr. Pirzynski, that Council make the required findings as follows: The Zone Change is consistent with the General Plan; For community benefit this project contributes to the further development of the surrounding neighborhood improving circulation, providing neighborhood unity, eliminating a blighted area and furthering the quality of life; The project is designed in context with the neighborhood with respect to existing scale and character; Corridor lots may be considered if beneficial to surrounding neighborhood; Applicant shall demonstrate the benefit of a Planned Development through excellence in design; Applicant shall demonstrate strong community benefit; The Stone Pine tree shall be protected; there is a restricted open space easement for access to creek and riparian habitat for the homeowners in the planned development; fencing shall remain open so public can view creek ; the designs will blend well with the neighborhood. Carried unanimously.

Time	ITEM	ACTION ON ITEM
	ITEM 11 continued	Motion by Mrs. Decker , seconded by Mr. Pirzynski. To waive the reading of the Proposed Ordinance. Carried unanimously.
	TITLE READ	The Town Clerk read the Title of the Proposed Ordinance.
	ITEM 11 10 MONROE COURT FINAL MOTION	Motion by Mrs Decker , seconded by Mr. Pirzynski, that Council Introduce Proposed Ordinance entitled, <u>ORDINANCE OF THE TOWN OF LOS GATOS AMENDING THE ZONING ORDINANCE EFFECTING A ZONE CHANGE FROM RM:12-20 TO RM:12-20:PD AT 10 MONROE COURT.</u> Carried unanimously.
	PUBLIC HEARING	PUBLIC HEARING
8:35 PM	ITEM 12 TAPESTRY RESTAURANT COLLAGE AVENUE	11 COLLEGE AVENUE/TAPESTRY RESTAURANT (12.15) Mayor Glickman stated that this was the time and place duly noted for public hearing to consider recommendation of the Planning Commission for approval to modify an existing Conditional Use Permit Application to expand from beer and wine to full liquor service (Tapestry) on property zoned C-2. APN 529-29-052. Conditional Use Permit U-04-6. Property Location: 11 College Avenue. Property Owner: Dave Flick. Applicant: Tapestry Restaurant.
		Bud Lortz , Director of Community Development, gave an overview of the proposal and recommendations from the staff report.
		Council Comments: That this restaurant will not be considered as a take out restaurant. That there will be no stand alone bar installed in the restaurant. That outside diners will be able to receive a drink.
	ITEM 12 SPEAKER	Gary Messick , applicant, representing Tapestry, asked for the opportunity to compete with other local restaurants that have been allowed full liquor service with their restaurants.
8:43 PM	ITEM 12 TAPESTRY RESTAURANT	Mayor Glickman closed the public hearing.
		Council Consensus that council accept the report in the form of meeting minutes from the Planning Commission regarding a modification of a Conditional Use Permit.
	ITEM 12 11 COLLEGE AVENUE <u>FINAL MOTION</u>	Motion by Mr. Pirzynski , seconded by Mr. Glickman, to approve the application subject to the proposed conditions, making the required findings in Attachment 1, and requiring that there shall be no dedicated walk up counter for take out . Carried unanimously

Time	ITEM	ACTION ON ITEM
	PUBLIC HEARING	PUBLIC HEARING
8:46 PM	ITEM 13 WEED ABATEMENT ITEM 13	HAZARDOUS VEGETATION/WEED ABATEMENT (13.33) Mayor Glickman stated that this was the time and place duly noted for public hearing to consider overruling objections and ordering abatement of hazardous vegetation (weeds) on certain properties and authorizing the County contractor to perform the weed abatement work necessary to comply with the standards.
		John Curtis , Director of Public Works, spoke of the history of this annual program held in Los Gatos.
8:48 PM	ITEM 13 SPEAKERS	The following people from the audience addressed this issue:
	SPEAKER	Rebecca Roulette spoke of the requirements now being asked of her. Over the years she has not been required to do these things. She also noted the difficulty with access to her property.
	SPEAKER	Debbie Grover representative from the Fire Marshal's Office and Program, spoke of setting an appointment to go out to speak with Ms Roulette and explain to the owner how to control the fire hazards on her property.
	SPEAKER	Curt Hansen spoke of having received notice to trim back his trees. He asked if he was required to have permits to trim his trees. He will meet with the Fire Marshal and Town arborist on the proper procedures.
8:57 PM	ITEM 13 WEED ABATEMENT	Mayor Glickman closed the public hearing.
	ITEM 13 WEED ABATEMENT FINAL MOTION	Motion by Mr Wasserman , seconded by Mr. Pirzynski, that Council adopt Resolution 2004-06 entitled, <u>RESOLUTION OF THE TOWN OF LOS GATOS OVERRULING OBJECTIONS AND ORDERING ABATEMENT OF HAZARDOUS VEGETATION (WEEDS) AS A PUBLIC NUISANCE.</u> Carried unanimously.
8:58 PM	PULLED ITEM	PULLED ITEM
	ITEM 7 RESERVOIR ROAD	RESERVOIR ROAD/SUBDIVISION APPEAL (07.15) Mayor Glickman stated that this was the time and place duly noted to consider adopting resolution granting an appeal of a Planning Commission decision to deny an application to remove the existing reservoir and facilities and a four lot subdivision on property zoned R-1:20. No significant environmental impacts have been identified as a result of this project and a mitigated Negative Declaration is recommended. Architecture & Site Application: S-01-77. Subdivision Application: M-01-13. Negative Declaration: ND-01-11. Property Location: Reservoir Road. Property Owner/Applicant/Appellant: San Jose Water Company.

Time	ITEM	ACTION ON ITEM
	ITEM 7 CONTINUED	RESERVOIR ROAD/SUBDIVISION APPEAL CONTINUED
	<p>ITEM 7</p> <p>RESERVOIR ROAD</p> <p>STAFF AND COUNCIL DISCUSSION AND CONSENSUS</p>	<p>COUNCIL DISCUSSION AND CONSENSUS</p> <ul style="list-style-type: none"> * Los Gatos High School, Main Street Businesses and the residents along the route of travel for the construction trucks shall be notified of all staging activities. They shall be considered in all dates of activities and timing for traffic. * The specifics of easements, titles from property owners, and contractual commitment associated with the sewer line dog leg north, referred to as Alternative F, also Item 33 of the A&S Application Conditions, and entering 10 Reservoir Road property needs to be clarified and delineated further. Alternative F as described in the December 15, 2003 Council staff report. * Fill is limited to 4,000 cubic yards maximum. * Within the Subdivision Application and the A&S Application the words "subject to review and approval" rather than "shall be approved" will be used throughout for consistency and clarity. * Within the Subdivision Application, Conditions of Approval, in Paragraph 12, speaking of "Guiding Light," reference the intent to be "no more tree removal or larger building envelopes be allowed." Within these directives there will be use of more substantive language for direction to the applicants who will be processing their plans through the Town's Planning regulations. * Within the Subdivision Application, Conditions of Approval, in Paragraph 29, speaking of "a better estimate of the amount of import material" could be made more specific in the estimates of the amount of fill to be brought in. Same as in A&S Par.37. * Within the Subdivision Application, Conditions of Approval, in Paragraph 60, speaking of the hours of transportation, the request is again to contact the school for input. Rather than the suggested 2:25 to 2:45 for peak school traffic, it is suggested that 1:55 to 2:25 is the time for the larger impact of traffic on Main Street. Rather than the statement that the Town MAY choose to prohibit truck operations, the statement should be that the Town WILL choose to prohibit truck operations during the times of peak traffic impacts around the school. Same to be reflected in A&S Par. 68. * Staff is committed to offering a review of landscape, and grading plans to the neighbors during this project. Council would like note of the review cycles reflected in the resolution. * Communications plan is exemplary. Flyers to be distributed to all residents and businesses as too where, when and what is going on so all have information to work with and plan around.

Time	ITEM	ACTION ON ITEM
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=====	ITEM 7 CONTINUED	RESERVOIR ROAD/SUBDIVISION APPEAL CONTINUED
=====	STAFF AND COUNCIL DISCUSSION AND CONSENSUS	COUNCIL DISCUSSION AND CONSENSUS * Geology and soils reports will be developed under the Architecture and Site process when specific plans come forward for the newly formed building sites. The Hillside Standards will be the guidelines through which the applicant will need to design the homes. Stepped foundations and designs that fit the contour of the land will be encouraged. Pier and beam construction to minimize cut and fill and impact to the trees may be encouraged.
9:35 PM	ITEM 7 SPEAKERS	The following people from the audience addressed this issue:
	SPEAKER	Dennis McEvoy brought Council's attention to the desk item before them this evening. He spoke for himself and Ms Kenkel noting the resident's concerns and the responses from staff. He addressed Items 1, 2, 3, 10, 11, 12, and 13 specifically. These include large box replacement trees; an effort to save tree #90; an attempt to provide the most rural curb and gutter system; establishing the four thousand cubic yards of fill as a maximum; and a greater effort to notify the neighborhood of any considered changes in activities, priorities and proposals.
	SPEAKER	Art Bonner referred to the desk item, and asked how the four thousand cubic yards of fill was going to be engineered, what the contour of the land would be after it was placed, and how the amount and placement of the fill was to be monitored.
	SPEAKER	Suzanne Cochran would like Town to keep those concerned notified of the progress of the project and informed about any new information that concerns the development.
	SPEAKER	Eric Morely spoke of the developer working carefully with the existing trees and in trying to preserve the canopy. He noted that there would be some flexibility in the A&S process to evaluate the sites and trees and explore design footprints that fit within the topography of the land and the placement of the existing trees. The process and plans can be reviewed by the neighbors and a method of communications established for those who are impacted to be able review and comment as considerations and planning proceed.
	SPEAKER	Ray Davis spoke of moving four thousand cubic yards out of the reservoir and moving four thousand cubic yards of fill back in, totaling eight thousand cubic yards to be trucked through the community.

Time =====	ITEM =====	ACTION ON ITEM =====
	ITEM 7 CONTINUED	RESERVOIR ROAD/SUBDIVISION APPEAL CONTINUED
	SPEAKERS CONTINUED	Kevin Rohani , Town engineer, addressed the geotechnical aspects of the development. There will be a full-time inspector assigned by the Town available on site during all activities.
	ITEM 7 STAFF AND COUNCIL DISCUSSION AND CONSENSUS	COUNCIL DISCUSSION AND CONSENSUS * A Communications Plan shall be implemented to afford public input at key opportunities during remediation construction. This will include the Landscaping and Grading Plans at strategic construction milestones. * Tree #90 will be preserved at this time and cared for until such time as approved construction plans are developed. At that time a decision will be made by the Planning Commission as to the practicality of keeping Tree #90. * If there are design changes that can be handled by staff they will be minor and not substantive. Fill is limited to a maximum of 4,000 cubic yards. Any changes in grading or tree removal would be fully communicated and brought to the appropriate body for review and approval. * All additional review steps to be included as Conditions of Approval.
10:30 PM	ITEM 7 RESERVOIR ROAD MOTION AND FINAL ACTION	Motion by Mr. Wasserman , seconded by Mr. Pirzynski, to approve the changes and directions discussed by Council this evening and have the resolution return to Council on January 20, 2004 for review and consideration by Council. Council to be assured that the neighbors and affected parties have also had an opportunity to review the changes before Council adoption of resolution. Carried unanimously
=====	OTHER BUSINESS	OTHER BUSINESS
10:40 PM	ITEM 14 NON-POINT SOURCE (NPDES)	NON-POINT SOURCE PRESENTATION (14.40) Mayor Glickman stated that this was the time and place duly noted to consider introducing Ordinance amending Town Code Sections 22.30.010 and 22.30.035 to comply with the requirements of Provision C.3 of the Town's NPDES Permit.
		John Curtis , Parks and Public Works Director, gave an overview of this annual program.
	PRESENTATION BY (NPDES) REPRESENTATIVES	Cheri Donnelly and Jack Lowell made a presentation to Council of the storm water program. They had a visual display which was shown to Council and used as a classroom demonstration model. They work with the public and with business owners to educate about how pollutants flow through the storm water system to the Bay.

Time =====	ITEM =====	ACTION ON ITEM =====
	ITEM 14 NPDES CONTINUED	NON-POINT SOURCE PRESENTATION CONTINUED INTRODUCTION OF ORDINANCE (14.40)
	SPEAKER	Speaker, Ray Davis , spoke in the public interest.
	EXTEND THE MEETING PAST MID-NIGHT	Motion by Mr. Wasserman , seconded by Mr. Glickman, to extend the Council meeting past mid-night. Carried unanimously.
	ITEM 14 CONTINUED	Motion by Ms McNutt , seconded by Mr. Glickman, to waive the reading of the Proposed Ordinance. Carried unanimously.
	TITLE READ	The Town Clerk read the Title of the Proposed Ordinance.
	ITEM 14 NON-POINT SOURCE (NPDES) FINAL MOTION	Motion by Ms McNutt , seconded by Mr. Glickman, that Council Introduce Proposed Ordinance entitled, <u>ORDINANCE OF THE TOWN OF LOS GATOS AMENDING TOWN CODE SECTIONS 22.30.010 AND 22.30.035 TO COMPLY WITH THE REQUIREMENTS OF PROVISION C.3 OF THE TOWN'S NPDES PERMIT.</u> Carried unanimously.
	OTHER BUSINESS	OTHER BUSINESS
11:10 PM	ITEM 15 HILLSIDE DEVELOPMENT STANDARDS (15.38)	HILLSIDE DEVELOPMENT STANDARDS AND GUIDELINES Mayor Glickman stated that this was the time and place duly noted to consider adopting resolution adopting the Hillside Development Standards and Guidelines. It has been determined that this project could not have a significant impact on the environment, therefore, the project is not subject to the California Environmental Quality Act (Section 15061 (b)(3)). File A-03-3 Applicant: Town of Los Gatos.
		Bud Lortz , Director of Community Development, gave a short overview of the work the Planning Department and Hillside committee have accomplished over the last year while working on these standards and guidelines
11:15 PM	SPEAKERS	The following people from the audience addressed this issue.
	SPEAKER	Ray Davis spoke of the need for additional work on this document and asked that the report have a peer review before it is adopted.
	SPEAKER	Joe McCarthy , owner of the property, spoke of the history behind this project and of the community benefits to the neighborhood. He noted the new water line installed for protection against fire, which is a benefit to the surrounding residential properties. He also spoke of the emergency access fire road which runs through the Jesuit property. He spoke of beginning his process over seven years ago and of having completed extensive preliminary work which was necessary before the plans for the homes could be submitted.

Time	ITEM	ACTION ON ITEM
	ITEM 15 SPEAKERS CONTINUED	HILLSIDE DEVELOPMENT STANDARDS AND GUIDELINES Speakers Continued:
	SPEAKER	Tom O'Donnell representing McCarthy Land Co, spoke of the removal of Guadalupe College from the hillside landscape and suggested that this undertaking deserves some credit. He asked for a narrow exception to be applied in an equitable manner, that will not override the intention of the hillside standards, to a project that has completed significant preliminary work on a proposed planned development. He asked that the project be grandfathered and that Council consider granting a variance.
11:25 PM	ITEM 15 STAFF AND COUNCIL DISCUSSION AND CONSENSUS	COUNCIL DISCUSSION AND CONSENSUS <ul style="list-style-type: none"> * There is a possibility to grant an exception to the maximum floor area ratio for any planned development for which the subsequent architecture and site applications have not yet been submitted. * Council absolutely wants to protect the hillside viewshed from any visible new structures that are constructed. * The proposed document appears to set standards that will preserve the beauty of our hillsides. * Council can adopt these standards and proceed to uphold these guidelines and still be able to work with an existing project, begun under prior regulations but which as yet needs to proceed through the architecture and site process. * Council would like additional analysis on an established maximum square footage before a number is added to this document.
12:20 AM	MODIFICATIONS TO THE DOCUMENT BY COUNCIL	MODIFICATIONS TO THE HILLSIDE STANDARDS AND GUIDELINES TO RETURN TO COUNCIL 01/20/04 Page 05 Move Bullet 08 to Bullet 02: Bullet 08 acts as a forward to the process and should be moved forward for that reason. Page 13 Definition of "Visible Home" should be used within the text of the document to allow the definition to be viable. Page 17 Add a total amount to the section on grading Page 24 Use of fire retardant landscaping around hillside structures. A process inserted for Fire Marshal's Department review and sign off. Page 30 The "Viewshed" is always determined from downtown Los Gatos. There should be other sites within our Town for determining the viewshed. Page 35 There is a need for illustrating the thirty-five foot height limit to show the possibility to step the home into the topography. Pages 37 & 41 Remove every other contour line in the illustrations so it does not appear that we are encouraging building in areas that the contours are that close.

Time	ITEM	ACTION ON ITEM
	ITEM 15 CONTINUED	HILLSIDE DEVELOPMENT STANDARDS AND GUIDELINES Modifications Continued: Definition: "Slope" and "Maximum Slope" must be worked on. Historically a 30% slope was considered a maximum but there is no consistent language in this document to reference this subject. Page 29 The exclusion shall remain at 400 square feet for the garages.
12:30 AM	ITEM 15 MOTION	Motion by McNutt , seconded by Mr. Glickman, to approve the Hillside Development Standards and Guidelines as modified by Council comments and consensus and defer the adoption of resolution to Tuesday, January 20, 2004. Carried unanimously.
	ITEM 17	COUNCIL MATTERS (17.28) There were no reports given this evening.
	ITEM 18	MANAGER MATTERS (18.28) There were no reports given this evening.
12:35 AM	ADJOURNMENT	Mayor Glickman adjourned this evening's meeting at 12:35 AM.

ATTEST:

Marian V. Cosgrove
Town Clerk
Secretary to the Redevelopment Agency